

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Tahreem Khan	Team: Squad #11	CCRB Case #: 201903474	<input checked="" type="checkbox"/> Force <input type="checkbox"/> Discourt. <input type="checkbox"/> U.S. <input checked="" type="checkbox"/> Abuse <input type="checkbox"/> O.L. <input type="checkbox"/> Injury	
Incident Date(s) Tuesday 04/23/2019 10:30 AM	18 Mo. SOL 10-23-2020	EO SOL 06-09-2021	Location of Incident: In front of [REDACTED] Rockaway Parkway	Precinct: 67
Date/Time CV Reported Wed, 04/24/2019 8:18 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 04/24/2019 8:18 AM	

Complainant/Victim	Type	Home Address
1. M [REDACTED] T [REDACTED]	Comp/Victim	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. SGT B [REDACTED] S [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
2. POM A [REDACTED] G [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
3. POM Salvatore Rizzo	28468	955390	067 PCT
4. POM D [REDACTED] D [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Officer(s)	Allegation	Investigator Recommendation
A . POM A [REDACTED] G [REDACTED]	Abuse of Authority: Police Officer A [REDACTED] G [REDACTED] stopped the vehicle in which M [REDACTED] T [REDACTED] was an occupant.	A . Mediation Attempted
B . SGT B [REDACTED] S [REDACTED]	Abuse of Authority: Sergeant B [REDACTED] S [REDACTED] stopped the vehicle in which M [REDACTED] T [REDACTED] was an occupant.	B . Mediation Attempted
C . POM A [REDACTED] G [REDACTED]	Abuse of Authority: Police Officer A [REDACTED] G [REDACTED] frisked M [REDACTED] T [REDACTED]	C . Mediation Attempted
D . SGT B [REDACTED] S [REDACTED]	Abuse of Authority: Sergeant B [REDACTED] S [REDACTED] searched the vehicle in which M [REDACTED] T [REDACTED] was an occupant.	D . Mediation Attempted
E . POM Salvatore Rizzo	Abuse of Authority: Police Officer Salvatore Rizzo searched the vehicle in which M [REDACTED] T [REDACTED] was an occupant.	E . Mediation Attempted
F . POM D [REDACTED] D [REDACTED]	Abuse of Authority: Police Officer D [REDACTED] D [REDACTED] searched the vehicle in which M [REDACTED] T [REDACTED] was an occupant.	F . Mediation Attempted
G . SGT B [REDACTED] S [REDACTED]	Force: Sergeant B [REDACTED] S [REDACTED] used physical force against M [REDACTED] T [REDACTED]	G . Mediation Attempted

Complaint Summary

On April 24, 2019, Mr. T [REDACTED] called the CCRB to file this complaint. On April 23, 2019, at approximately 10:30 a.m., in the vicinity of [REDACTED] Rockaway Parkway in Brooklyn, Sergeant B [REDACTED] S [REDACTED] and Police Officer A [REDACTED] G [REDACTED] of the 67th Precinct stopped the vehicle in which Mr. T [REDACTED] was an occupant (**Allegations A and B**). PO G [REDACTED] frisked Mr. T [REDACTED] (**Allegation C**). Sgt. S [REDACTED] Police Officer Salvatore Rizzo, and Police Officer D [REDACTED] D [REDACTED] of the 67th Precinct searched Mr. T [REDACTED] vehicle (**Allegations D, E, and F**). Sgt. S [REDACTED] pushed Mr. T [REDACTED] (**Allegation G**). Mr. T [REDACTED] was not arrested, nor was he issued any summonses.

A warrant audit revealed a search for Mr. T [REDACTED] by Sgt. S [REDACTED] and PO G [REDACTED]. Mr. T [REDACTED] was unable to provide the names of any of the officers; however, he was able to provide physical descriptions of all four officers. A search of the MOS Photo Terminal for Sgt. S [REDACTED] and PO G [REDACTED] revealed their descriptions to be generally similar to the descriptions provided by Mr. T [REDACTED]. Tour 2 of Roll Call confirmed that Sgt. S [REDACTED] and PO G [REDACTED] were on duty during the incident time. Body-worn camera footage was received for Sgt. S [REDACTED] PO G [REDACTED] PO Rizzo, and PO D [REDACTED] confirming their interaction with Mr. T [REDACTED] and identifying all four members of service as subject officers.

Mr. T [REDACTED] was offered mediation during his in-person sworn statement. Mr. T [REDACTED] accepted mediation because he wanted the officers to recognize that what they did was wrong, and he wanted to communicate that he felt violated.

Results of preparing the case for mediation

On August 9, 2019, A [REDACTED] C [REDACTED] in the Alternative Dispute Resolution (ADR) Unit, reviewed this case and put it into the mediation process. On that same date, Mr. C [REDACTED] contacted Mr. T [REDACTED] to inform him that his case was being processed. On September 3, 2019, the Department Advocate Office (DAO) of the Police Department notified the ADR Unit that PO D [REDACTED] PO G [REDACTED] PO Rizzo, and Sgt. S [REDACTED] were considered acceptable candidates for mediation. On September 19, 2019, the ADR Unit received PO D [REDACTED] PO G [REDACTED] PO Rizzo, and Sgt. S [REDACTED] acceptance of mediation.

On September 27, 2019, Mr. C [REDACTED] attempted to contact Mr. T [REDACTED]. Mr. T [REDACTED] was unavailable, and Mr. C [REDACTED] left a message asking to be contacted. On that same date, Mr. T [REDACTED] contacted Mr. C [REDACTED] and scheduled a mediation session for Tuesday, October 8, 2019 at 10:30 AM. On the same date, Mr. C [REDACTED] sent a letter and email to Mr. T [REDACTED] confirming the date and time of the mediation. On October 4, 2019, Mr. C [REDACTED] contacted the 67th Precinct and verified that PO D [REDACTED] PO G [REDACTED] PO Rizzo, and Sgt. S [REDACTED] were available to appear at the mediation. On October 7, 2019, Mediation Supervisor R [REDACTED] E [REDACTED] attempted to contact Mr. T [REDACTED] to confirm the mediation session. Mr. T [REDACTED] was unavailable and Supervisor R [REDACTED] E [REDACTED] left a message confirming the date and time of the mediation session. On that same date, Mr. T [REDACTED] contacted Supervisor R [REDACTED] E [REDACTED]. At that time, Mr. T [REDACTED] informed Supervisor R [REDACTED] E [REDACTED] that he did not want to proceed with his complaint because he wanted to forget about his complaint. Mr. T [REDACTED] confirmed that he was withdrawing the complaint of his own free will, and he was not coerced by anyone from the NYPD or CCRB. Supervisor R [REDACTED] E [REDACTED] informed Mr. T [REDACTED] that his case would be closed. Supervisor R [REDACTED] E [REDACTED] reviewed the withdrawal recording, which is attached to Mediation Activity Log entry #22 and confirmed that it adhered to agency standards.

Mr. C [REDACTED] added an updated copy of PO D [REDACTED] PO G [REDACTED] PO Rizzo and Sgt. S [REDACTED] CCRB histories to the case file. PO D [REDACTED] PO G [REDACTED] PO Rizzo and Sgt. S [REDACTED] have not been named as subject officers in any case since this case was filed.

Recommendation

Given the above and the good faith agreement of PO D [REDACTED] D [REDACTED] PO A [REDACTED] G [REDACTED] PO Salvatore Rizzo and Sgt. B [REDACTED] S [REDACTED] to mediate, it is recommended that this case be closed as Mediation Attempted.

Mediation Coordinator:

Date:

Director of Mediation:

Date: